

MEETING MINUTES
Board of Mental Health Practice
May 9, 2014

These minutes were approved by
the Board on July 11, 2014.

1. ROLL CALL

The meeting of the Board of Mental Health Practice was called to order by the Chair, Thomas Maxson, at 9:07 a.m., in Lower Level Room A, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. Copies of the agenda were mailed to the Board members and other interested parties in accordance with the Open Meetings Law. The following members answered the roll call:

Members Present:	Dale Battleson	-	Vice-Chair
	Janice Fitts	-	Member
	William Gaughan	-	Member
	Mike Kinney	-	Member
	Thomas Maxson	-	Chair
	Allison Reisbig	-	Member
	Sarita Ruma	-	Member
Members Absent:	Susan Feyen	-	Member
	Susan Meyerle	-	Secretary
	Shari Schnuelle	-	Member (arrived 9:28 a.m.)
Others Present:	Kris Chiles	-	Program Manager, Licensure Unit
	Barb Remmers	-	Investigator, Licensure Unit
	Dennis Scott	-	Investigator, Licensure Unit
	Julie Agena	-	Assistant Attorney General

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Battleson moved, seconded by Reisbig, to adopt the agenda. A roll call vote was taken. Voting aye: Battleson, Fitts, Gaughan, Kinney, Maxson, Reisbig, Ruma (7). Voting nay: None (0). Absent: Feyen, Meyerle, Schnuelle (3). Abstain: None (0). Motion carried.

3. APPROVAL OF MINUTES (3-7-14)

MOTION: Kinney moved, seconded by Gaughan, to approve the minutes of 3-7-14. A roll call vote was taken. Voting aye: Battleson, Fitts, Gaughan, Kinney, Maxson, Reisbig, Ruma (7). Voting nay: None (0). Absent: Feyen, Meyerle, Schnuelle (3). Abstain: None (0). Motion carried.

4. INVESTIGATIVE REPORTS AND OTHER CONFIDENTIAL INFORMATION – CLOSED SESSION

MOTION: Gaughan moved, seconded by Kinney, to enter into closed session at 9:11 a.m. to hear discussions of an investigative/confidential nature, and for the prevention of needless injury to the reputation of the individuals. A roll call vote was taken. Voting aye: Battleson, Fitts, Gaughan, Kinney, Maxson, Reisbig, Ruma (7). Voting nay: None (0). Absent: Feyen, Meyerle, Schnuelle (3). Motion carried.

9:28 a.m.	-	Schnuelle entered meeting
9:34 a.m.	-	Scott departed meeting
9:42 a.m.	-	Ruma departed meeting (conflict)
9:59 a.m.	-	Ruth Schuldt and Anna Harrison entered meeting
10:26 a.m.	-	Ruma entered meeting
10:32 a.m.	-	Kinney departed meeting
10:35 a.m.	-	Kinney entered meeting
10:44 a.m.	-	Break
10:54 a.m.	-	Meeting resumed
11:39 a.m.	-	Reisbig departed meeting (conflict)
11:43 a.m.	-	Reisbig entered meeting
		Remmers departed meeting

12:03 p.m. - Schuldts and Harrison departed meeting

MOTION: Kinney moved, seconded by Ruma, to enter into open session at 12:18 p.m. A roll call vote was taken. Voting aye: Battleson, Fitts, Gaughan, Kinney, Maxson, Reisbig, Ruma, Schnuelle (8). Voting nay: None (0). Absent: Feyen, Meyerle (2). Motion carried.

5. REVIEW AND RECOMMENDATIONS – OPEN SESSION

a. Applications/Reinstatements/Convictions

David Yoble – PLMHP

MOTION: Fitts moved, seconded by Battleson, to recommend approval of PLMHP. A roll call vote was taken. Voting aye: Battleson, Fitts, Gaughan, Kinney, Maxson, Reisbig, Ruma, Schnuelle (8). Voting nay: None (0). Abstain: None (0). Absent: Feyen, Meyerle (2). Motion carried.

Edna Castro – PLMHP and PMSW

MOTION: Fitts moved, seconded by Schnuelle, to recommend approval of PLMHP. A roll call vote was taken. Voting aye: Battleson, Fitts, Gaughan, Kinney, Maxson, Reisbig, Ruma, Schnuelle (8). Voting nay: None (0). Abstain: None (0). Absent: Feyen, Meyerle (2). Motion carried.

Stella Offordirinwa – LMHP and CPC

MOTION: Schnuelle moved, seconded by Fitts, to issue with probation with the same terms and conditions as currently in effect. A roll call vote was taken. Voting aye: Battleson, Fitts, Gaughan, Kinney, Maxson, Ruma, Schnuelle (7). Voting nay: None (0). Abstain: Reisbig (1). Absent: Feyen, Meyerle (2). Motion carried.

12:22 p.m. - Break
12:27 p.m. - Brink entered meeting
12:38 p.m. - Kinney departed meeting
12:39 p.m. - Meeting resumed

6. UNFINISHED BUSINESS

a. Jurisprudence Examination

Maxson summarized discussion from the last meeting which included continuing to write questions and the debate of having one or two examinations with one examination based on current regulations and one for use when the new regulations become effective. He provided a document that focused on the new regulations but said it could be adopted to be used currently. He asked the members to look at the last question on the last page which asked for a specific number from the regulations which forces applicants to go to the regulations to find the number. Maxson commented that he had mixed reactions to that because while it gets individuals to read and look more formally, he wondered how many people were going to understand the regulation notation and if the Department would get questions. Reisbig asked if it tested the individual's ability to follow directions and find the regulation or were they expected to read and comprehend the regulation to answer a question. Maxson responded the individuals just had to find the regulation. It was discussed that it was more important to know the answer to a question than how to find the specific regulation citation number.

Maxson commented that there had been no decision as to how many times an individual could take the examination. Chiles responded she understood the intent was to use the examination for those who were disciplined and passing the examination would be part of the probationary terms and conditions. She discussed there could be a time limit on how much time must pass before an individual could take the examination again if they did not pass. Chiles reported the examination could be used for educational purposes, such as is done by Funeral Directing and Embalming Board where the applicant completes the jurisprudence examination for initial licensing and then the applicant and the Board discuss the questions missed and the correct answer is provided. Fitts commented she felt that would be more helpful. Maxson

had a question about security and Chiles responded that it was open book. There was a discussion about having a larger pool of questions and then each examination could be randomized. Maxson asked members to review the examination and maybe take the test themselves and then mail him any corrections/edits. He indicated the plan was to have a final version by the July meeting.

b. Other

There was no other unfinished business to report.

7. NEW BUSINESS

a. Legislative Session 2014

Chiles reported the session ended April 17, 2014, and reminded the members that at the last meeting she talked about LB 931 which was Mental Health First Aid Training Act. She stated the bill was amended into LB 901.

b. Correspondence

Chiles reported that on March 25, 2014, she sent information on the UNO program and said it would be discussed at this meeting. She summarized the approved course for ethics, PSYC 8800 Ethics and Law for Psychologists, was being changed this year to PSYC 8700 Ethics and Law for Psychology and Applied Behavioral Analysis. Chiles reported the course content was essentially the same but there was an additional emphasis on ethics for students in the ABA program.

MOTION: Fitts moved, seconded by Ruma, to accept the UNO ethics course. A roll call vote was taken. Voting aye: Battleson, Fitts, Gaughan, Maxson, Reisbig, Ruma, Schnuelle (7). Voting nay: None (0). Abstain: None (0). Absent: Feyen, Kinney, Meyerle (3). Motion carried.

Maxson asked if there was any sense of where ABA was going besides being under LMHP and Chiles responded she did not have any insight.

c. Other

There was nothing to report.

8. UPDATES AND REPORTS

a. AASCB / AMFTRB / ASWB / Citizen Advocacy Center / Justice Behavioral Health Committee

AASCB

There was nothing to report.

AMFTRB

Chiles reported that she sent the members a copy of the document The Consideration for Boards Regarding Distance Supervision and Therapy and Transfer of Hours which was provided by another MFT state board.

ASWB

Fitts reported she attended the last ASWB meeting and she is on the accreditation for continuing education committee.

Chiles reported that for the clinical examination, the national average percentage was 77.9 and Nebraska was 78.1.

Citizen Advocacy Center

There was nothing to report.

Justice Behavioral Health Committee

Maxson reported that Feyen will be attending this meeting in June.

Chiles reported there was the ACA Code of Ethics that was approved by the Governing Council that Schnuelle shared with the Board. Schnuelle commented that they take the position of not having a social media relationship with your clients.

b. Disciplinary/Non-Disciplinary Report / Licensure Statistics / Administrative Penalty Fees Assessed

Chiles distributed the Disciplinary Report for the period since the last meeting.

Chiles reported that since the March meeting;

1. 9 individuals passed the NCE examination and 3 were not successful.
2. 8 individuals passed the ASWB examination and 4 were not successful.
3. 2 individuals passed the NBCC clinical examination and 2 were not successful.
4. No administrative penalties were assessed.

Chiles reported the following licensing statistics:

LIMHP	1152
MFT	99
MSW	890
CMSW	29
LMHP	2838
CPC	1091
PMSW	168
PLMHP	963
SW	611

c. Other

There was nothing to report.

9. SERVICE APPRECIATION – JAN FITTS

Jan Fitts was presented a plaque honoring her service to the Board from December 2005 to May 30, 2014. Fitts expressed that she was grateful for the opportunity to serve.

10. ADJOURNMENT

Maxson adjourned the meeting of the Board of Mental Health Practice at 1:16 p.m.

Respectfully Submitted,

Susan Feyen, Secretary
Board of Mental Health Practice

Next Meeting: July 11, 2014

Summarized by: Nancy Herdman, Health Licensing Coordinator, Licensure Unit